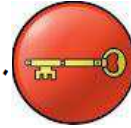


# **EXHIBIT 4**



the society for creative anachronism, inc.



# SCA Sanction Guide

## January 2018 Edition

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- e. If the Board chooses to initiate a Revocation of Membership and Denial of Participation (R&D) investigation, then the subject shall be notified of this investigation by the Society Seneschal in the expulsion letter which should also include contact information for the Society Seneschal allowing for a response by the sanctioned individual.
- 4. Society Seneschal shall send notice that the sanctioned individual's membership has been revoked and denied.

## II. TYPES OF SANCTIONS

### A. ADMINISTRATIVE SANCTIONS

1. Definition: A restriction or ban on holding an office or participation in certain SCA activities imposed by a warranted officer of the SCA.
2. Authority: Kingdom and Society Officers may impose Administrative Sanctions within their areas of authority.
3. The Crown may suspend or remove an officer for just cause; however, this is not an administrative sanction. If the Officer is suspended for just cause, cause will initially be determined by the Society Seneschal and that decision will be reviewed by the Board of Directors. The suspended officer may return to office upon the end of the Crown's reign; however, an officer removed for just cause, there is no right of reinstatement.
4. Only the Society Seneschal may impose an Administrative Sanction that precludes the holding of all offices, including that of Crown and only with the approval of the Board.
5. Types of Administrative Sanctions are:
  - a. Temporary suspension from office.
  - b. Removal from office.
  - c. Revocation of authorization to participate in certain SCA activities, e.g. fighting.
  - d. Removal of a disruptive individual or individuals from a single event by the officer responsible for the event as defined in the appropriate section of Corpora.
6. Duration: The duration of an Administrative Sanction varies based on the level at which it was imposed. Officers at the Kingdom or Principality level may not impose sanctions lasting longer than two years. Society Officers may not impose indefinite sanctions; only the Board may impose indefinite or permanent Administrative Sanctions requested by Society Officers. Officers at all levels may request that their superior officer impose sanctions of a longer duration than they themselves may impose; however, nothing in this section is to be construed as interfering with the right of officers at all levels to appoint and remove deputy officers as they see fit. Administrative Sanctions should not be a substitute for appropriate action by the Crown; however, this does not preclude an officer from imposing additional appropriate sanctions upon an individual that the Crown has sanctioned.

### B. ROYAL SANCTIONS

1. Definition: A restriction or ban on any level of participation or activity of an individual imposed by the Royalty of a Kingdom or Principality of the SCA.

2. Authority: The Crown may sanction subjects, residents, and visitors within the borders of the Crown's Kingdom, for just and stated cause. These sanctions are referred to collectively as Royal Sanctions. The Crown is granted broad discretion in the imposition of Royal Sanctions complying with section III of this document.
3. Types of Royal Sanctions
  - a. **Banishment from the Royal Presence** precludes the sanctioned individual from attending any event at which the King and/or Queen will be present within their Kingdom and was published in advance on the Royal Progress. If the King and/or Queen attend an event that was NOT published in advance on the Royal Progress, the sanctioned individual is responsible for removing him or herself from eye-line/eye-sight in order to not to violate the sanction. It is incumbent upon the sanctioned individual to ensure that the sanction is NOT violated. Note that a Royal camp at an inter-Kingdom war is defined as the Royal Presence. Banishment from the Royal Presence may also be imposed upon a resident of a Principality by the Territorial Prince and Princess acting jointly as the Coronet within the boundaries of the Principality upon the written consent of the Crown.
  - b. **Prohibition from the Wearing or Display of the Insignia of the Realm precludes the sanctioned individual from wearing or displaying any badges or other armory specific to the realm or any of its branches, awards, or orders.** This specifically does not preclude the wearing of peerage regalia, because they are registered to the SCA and not to specific Kingdoms. The Coronet of a Principality may prohibit the wearing or display of insignia of the Principality by a resident of the Principality upon the written consent of the Crown.
  - c. **Withdrawal of the Privileges of Rank precludes the sanctioned individual from exercising any privileges of rank in the realm of the issuing Crown.** This includes, but is not limited to, the use of associated titles, taking part in peerage polling privileges and regalia (except for peerage regalia, as noted above).
  - d. **Proscription from Active Participation prohibits the individual from taking part in any official business or activity within that one Kingdom.** This means the sanctioned individual can still attend events in Kingdom but cannot engage in activities subject to the jurisdiction of any officer except as required for event attendance (for example, no participation in marshal activities, no entry into A&S displays or competitions, no archery or equestrian activities, etc.). **Additionally, Proscription carries with it the restrictions of Banishment from the Royal Presence, Prohibition of the Wearing or Display of Insignia of the Realm and Withdrawal of the Privileges of Rank. The sanctioned individual can still attend events in other Kingdoms with no restrictions.**
  - e. **Exile from the Realm precludes active participation in SCA activities while attending SCA events in that one specific Kingdom.** This means that the sanctioned individual cannot attend events in the Kingdom. The sanctioned individual can still attend events in other Kingdoms with no restrictions.
4. Duration: **Royal Sanctions continue for the stated duration of the sanction or until the end of the reign, whichever comes first.**
5. The suspension or removal of a Kingdom Officer for just cause is not a sanction. These actions are authorized in Corpora Chapter VII, Sections K and L. The Coronet of a

Principality may suspend an officer of the Principality according to the law of the individual Kingdom and Principality consistent with the policies set forth in this document and with the agreement of the superior Kingdom officer.

**C. EXPULSION FROM THE SCA**

1. Definition: Expulsion temporarily bans an individual from attendance or participation in any form in any SCA activity, event, practice, official gathering or official SCA social media for any reason, at any time, until the issue that gave rise to the expulsion has been resolved. This includes a ban on participation on officially recognized SCA social media forums, officially recognized SCA electronic email lists and officially recognized SCA webpages.
2. Authority: An expulsion may be imposed by the Kingdom Seneschal, in conjunction with the Crown. The Society Seneschal may impose an emergency expulsion when necessary, or when a Kingdom-initiated expulsion is inappropriate or logistically impractical.
3. An expulsion may be imposed in response to:
  - a. Serious transgressions of SCA rules;
  - b. Serious violations of standards of behavior at an SCA event;
  - c. Conviction or violation of a civil or criminal law which could put the SCA or its participants at risk;
  - d. Behavior which could put the SCA or its participants at risk;
  - e. Serious violation of the Governing Documents or other rules of the SCA;
  - f. A formal recommendation arising from procedures defined in Corpora;
  - g. Actions that negatively affect or endanger the SCA;
  - h. Situations in which an individual is under criminal investigation by a modern law-enforcement agency and is considered to be a risk to the SCA or its participants;
  - i. Situations in which an individual is under investigation for a Board mandated R&D investigation.
  - j. Actions that endanger public health and safety, or disturb the peace of an SCA activity in a manner which would make it reasonable for the modern authorities to be called.
4. Emergency Expulsion: Expulsion is effective immediately upon issuance by the Crown with the agreement of the Kingdom Seneschal or if issued in an emergency by the Society Seneschal, with the ratification of the Chairman of the Board and after consultation with Crown and Kingdom Seneschal of the applicable Kingdom. The expulsion is temporary and in place until the Board reviews the decision. Once the Board upholds an expulsion, it may direct the Society Seneschal to perform an R&D investigation. An R&D makes an expulsion sanction permanent.

**D. REVOCATION OF MEMBERSHIP AND DENIAL OF PARTICIPATION (R&D)**

Definition: An individual may have his or her membership in the SCA revoked and the right to current and future participation banned. Only the Board of Directors may revoke and deny membership.

### III. SANCTION PROCEDURES

The appropriate authorities (i.e. a specific officer) may impose sanctions as listed in Section II of this document, as per the following procedures:

## 1. Administrative Sanctions

- a. Notification must be completed as per Section I.G.1 to Section I.G.4.
- b. All Administrative Sanctions will be reviewed.
  - i. Administrative Sanctions at the local, principality, or Kingdom level shall be reviewed by the immediate superior officer upon receipt of notification of the imposition of an administrative sanction.
  - ii. Administrative Sanctions imposed by a Society Officer will be automatically reviewed by the Board.
  - iii. There is no requirement to have administrative sanctions read into court or published in the Kingdom newsletter.
- c. Appeals: A sanctioned individual may appeal the sanction once it has been reviewed and upheld by the immediate superior of the officer who imposed it, in accordance with the appropriate procedures of that office.

## 2. Royal Sanctions

- a. Notification must be completed as per Section I.F.1 to Section I.F.2
  - i. Whenever practical, before the Crown sanctions a visitor or potential visitor who is a resident of another Kingdom, the Crown shall first notify the Crown of the visitor's Kingdom of the intent to impose a sanction
  - ii. Royal Sanctions take effect from the moment of proclamation, but as per Section I.F.2, a notice must be announced in court and also be published in the next available issue of the Kingdom newsletter if the sanction is to remain in effect. Within 15 business days of the imposition of the sanction, the specific cause and occasion of the sanction must be explained in writing to the sanctioned individual. These reasons must not be published in the Kingdom newsletter or otherwise made public.
  - iii. All Royal Sanctions will be reviewed with the exception of Banishment from the Royal Presence and expulsions which are automatically reviewed.
    - i. After the sanction is imposed, the Kingdom Seneschal will provide the Society Seneschal with all related documents including details of mediation attempts if any were appropriate.
    - ii. The Society Seneschal will review all Royal Sanctions for procedural compliance and proportionality.
- b. Process for appeal to the Board of Directors is as follows: the appellant must notify the Society Seneschal and the Corporate Vice President no later than the first day of the month of a quarterly meeting of the Board of Directors, i.e. January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup> or October 1<sup>st</sup>.
- c. A Royal Sanction may only be appealed to the Board, in writing, by the sanctioned individual if the appeal is accompanied by substantive evidence of bias, malfeasance, or gross incompetence on the part of the Royalty issuing the Sanction, or the Officer

reviewing the sanction. Simple procedural errors do not constitute grounds for overturning a Royal Sanction.

### 3. Expulsions

a. Notification must be given as per Section I.F.1 to Section I.F.2

b. Review

- i. After an expulsion is imposed, the Crown and Kingdom Seneschal must provide the Society Seneschal any related documents including details of mediation attempts, as applicable.
- ii. The Society Seneschal will review all expulsions for procedural compliance and proportionality.
- iii. The Society Seneschal will contact the expelled individual to request any information the subject would like to include or, if the Society Seneschal deems necessary, may initiate a full investigation at that time.
- iv. The expulsion shall be reviewed by the Board at the next Board meeting, if time permits.

c. Appeal

If the Board upholds the temporary expulsion, a member may appeal, if he or she can show that substantive evidence was either overlooked or came to light after the imposition of sanction such that, if taken in to account at the time the sanction was imposed, would have made a different outcome substantially likely, or to evidence of bias, malfeasance, or gross incompetence directly related to the investigation or imposition of the sanction on the part of the Crown or Society Seneschal who issued the expulsion.

## IV. SANCTION-RELATED TOPICS

### A. REVOCATION OF MEMBERSHIP AND DENIAL OF PARTICIPATION (R&D)

1. According to Corpora, an R&D by the Board enforces permanent expulsion from all SCA functions in all SCA Kingdoms. An R&D can only be issued by the Board. This step makes an expulsion sanction permanent.
2. The Board will consider a request for an R&D of a current member in the SCA under any of the following circumstances:
  - a. Petition to the Board by 30% or more of the membership of the Kingdom of residence of the individual;
  - a. Petition by a majority of the Kingdom great officers and peers of the Kingdom of residence who are currently members of the SCA;
  - b. The recommendation of a duly-constituted Kingdom court of chivalry;
  - c. Documentation of cause for expulsion from the SCA;
  - d. Conviction or violation of a civil or criminal law which could put the SCA or its participants at risk;

# SOCIETY FOR CREATIVE ANACHRONISM, INC. SANCTIONS PROCEDURES AND POLICIES MANUAL

Effective as of 11/15/2019  
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## Section 1: Intent of these Procedures and Policies; Purpose of Sanctions

- A. This document sets forth the Sanction Procedures and Policies for the Society for Creative Anachronism.
- B. The purpose of a sanction is to protect the SCA and participants by removing or limiting the participation of an individual who has violated the published rules and policies of the SCA, Kingdom law, or modern law. Behavior that places the SCA or another participant at substantial risk is also subject to sanction by the Kingdom or the Society.

## Section 2: Corporate Officers and Crowns; Authority to Act, generally

- A. The Board of Directors of the SCA reserves the right to sanction any individual or group of individuals in the SCA regardless of membership status, title or position. The Board reserves the sole right to modify or waive these policies as it deems necessary. The Board has the final authority on all sanctions.
- B. The Society Seneschal may investigate any complaint or incident.
- C. The Kingdom Seneschal may preliminarily investigate any complaint or incident within the boundaries of their Kingdom. They may notify or consult with the Society Seneschal as needed.
- D. The Crown may impose a royal sanction against an individual for violations of any provision of Corpora, SCA Corporate Documents, and/or Kingdom Law or suspend any Kingdom Officer for misconduct of office for the duration of their reign, consistent with this Manual.

## Section 3: Overview of Administrative Actions and Sanctions

### A. Administrative Actions against Kingdom, Principality and Local Officers

- 1. Suspension of an Officer: Officers may be suspended by the Crown or their Superior Officer for cause stated in writing to the officer. Suspension by the Crown is limited to the duration of the reign. Suspension by the Superior Officer is limited to not more

than 90 days. The Deputy to the suspended Officer shall assume the responsibilities of office during the suspension.

2. Removal from Office of a Deputy to a Kingdom Officer: Removal of a warranted deputy requires the approval of both the Kingdom Officer and the Crown of the Kingdom. In the event that the Crown and Kingdom Officer cannot agree to remove the deputy, they will refer the question of removal to the appropriate Society Officer.
3. If a deputy is removed on grounds that they reasonably believe are based upon discrimination of any protected class, they may request that the Society Seneschal or President review the removal.
4. Administrative Actions do not need to be announced in Court nor published in the Kingdom Newsletter.
5. Administrative Actions are not sanctions and are exempt from the Sanctions Process and sanctions appeals.

#### **B. Kingdom Sanction: Banishment from the Royal Presence**

1. A Banishment from the Royal Presence, at any function, activity or event which the Sovereign or Consort attend, precludes the sanctioned individual from attending any Royal Court, any meetings where the Crown is present including Peerage or officer meetings, entry into the Royal Encampment, contacting the Crown in any manner, or otherwise being within 50 feet of the Crown.<sup>1</sup>
2. This Sanction is issued by the Crown.
3. This Sanction cannot be appealed. The Sanction expires at the end of the Reign.
4. This Sanction must be read in Court and published in the Kingdom Newsletter.

#### **C. Kingdom Sanction: Exile from the Kingdom**

1. Exile from the Kingdom precludes engaging in any SCA activity in the Kingdom that issued the sanction. This does not preclude participation in activities in other Kingdoms. This precludes participation in any Kingdom-controlled Social or Electronic media.
2. This Sanction is issued by the Crown.
3. This Sanction terminates at the end of the Reign.

4. This Sanction must be read in Court and published in the Kingdom Newsletter.
5. No person shall be subjected to a continuance of a Sanction for more than two consecutive Reigns under the circumstances that prompted the original Crown to act.
6. The Society Seneschal will present this Sanction to the Board of Directors for review.

**D. Kingdom Sanction: Temporary Removal from Participation from the Society**

1. A Temporary Removal from Participation from the Society is issued by the Crown and Kingdom Seneschal after consultation with the Society Seneschal. Temporary Removal from Participation precludes the individual from attendance or participation in any manner at any SCA activity, event, practice, or official gathering for any reason, at any time. This includes a ban on participation in officially recognized SCA social media (e.g. “Facebook”) sites, officially recognized SCA electronic email lists, and officially recognized SCA webpages.
2. This Sanction must be read in Court and published in the Kingdom Newsletter.
3. The Society Seneschal will present this Sanction to the Board of Directors for review.
4. Temporary Removal from Participation will last until the Board makes a final decision on the Sanction.
5. Grounds for the Issuance of a Temporary Removal from Participation from the Society include, but are not limited to:
  - a. Serious transgressions of SCA rules which include violation of the Governing Documents or other rules of the SCA;
  - b. Theft, misappropriation, or deliberate misuse of SCA funds or property;
  - c. Situations in which an individual is under criminal investigation by a modern law enforcement agency or is considered to be a risk to the SCA or its participants due to conviction of a dangerous felony or violation of a civil law or court order which could put the SCA or its participants at risk;
  - d. Behavior which could put the SCA or its participants at risk or fear of imminent harm;
  - e. Actions that endanger public health and safety.

**E. Society Sanction: Emergency Temporary Removal from Participation**

1. An Emergency Temporary Removal from Participation may be issued by the Society Seneschal with the approval of the Chairman of the Board after consultation with the Crown and/or Kingdom Seneschal of the applicable Kingdom. The Temporary Removal from Participation remains in effect until the Board reviews the decision and makes a final determination on the Removal, which can include a Revocation of Membership and Denial of Participation or lifting the Sanction, amongst other things.
2. The Society Seneschal must immediately notify the Crown and Kingdom Seneschal of the affected Kingdom and must also notify the Chairman of the Board and the President within 24 hours following the issuance of the Sanction. The Chairman is responsible for notifying the Board within a reasonable time.
3. Notification of the Emergency Temporary Removal from Participation shall be made to the public in a form and format deemed appropriate by the Society Seneschal and President.
4. The Society Seneschal will present this Sanction to the Board of Directors for review.
5. Emergency Temporary Removal from Participation will last until the Board makes a final decision on the Sanction.

**Section 4: Initial Notification of Sanction**

**A. Notice of Kingdom Sanction**

1. The Kingdom Seneschal must notify or make a reasonable attempt to notify the sanctioned person via email or telephone as soon as possible but must also notify the sanctioned person by certified postal mail within 15 days of the announcement in Royal Court.
2. The Kingdom Seneschal should notify the Society Seneschal of the basic facts of the Sanction within 24 hours of issuance.

**B. Notice of Emergency Temporary Removal of Participation**

1. The Society Seneschal must notify or make a reasonable attempt to notify the sanctioned person via email or telephone as soon as possible but must also notify the

sanctioned person by certified postal mail within 15 days of the announcement of the Emergency Temporary Removal of Participation.

2. The Society Seneschal must notify the President and Chairman of the Board within 24 hours following the issuance of the Sanction. The Chairman is responsible for notifying the Board within a reasonable time.
3. After an Emergency Temporary Removal from Participation has been issued, the appropriate Kingdom Seneschal(s) shall privately notify all local Seneschals in the affected Kingdom(s) of the Sanction.
4. Additional Kingdoms may need to be informed as necessary in the determination of the Society Seneschal.

#### **C. Contents of Notification**

The written notice shall contain:

1. Type of Sanction / Description of Conditions
2. Issuing Authority (Crown and/or Kingdom Seneschal or Society Seneschal)
3. Date the Sanction was issued
4. For Kingdom Sanctions, the event at which the Sanction was announced
5. Time Limit of the Sanction (if applicable)
6. A Brief Statement of Facts Supporting the Sanction
7. Right of Appeal

#### **D. Standard Sanction Process<sup>2</sup>**

1. Kingdom Level Process

The Kingdom Seneschal transmits the sanction package to the Society Seneschal. The package will include the following:

- a. A complete statement of facts from both the Crown and Kingdom Seneschal. Both statements must state why the sanction was issued.
  1. The statement of fact from the Kingdom Seneschal must also describe the initial notice or attempt at initial notice of the Sanction to the sanctioned person.

- b. A copy of the initial notification letter, and proof of sending the letter by certified mail to the sanctioned party.
  - d. Proof of publication in the Kingdom newsletter or information indicating when the publication will take place.
  - e. Any statement from Complainant and any witnesses.
  - f. Statement from the sanctioned person, if any.
2. Society Level Process
- The Society Seneschal shall:
- a. For a Kingdom Sanction, verify that the sanction package is complete and that all necessary steps have been taken.
  - b. For an Emergency Temporary Removal from Participation, prepare documentation of the Sanction.
  - c. Present the Sanction, including the full package and the case cover sheet, to the Board of Directors at their next meeting.
3. Board of Directors Process
- a. The Board of Directors reviews sanctions package.
  - b. At its discretion the Board may:
    - 1. Uphold or overturn the sanction.
    - 2. Extend the sanction and request the Society Seneschal investigate the matter for a determination of the need for additional action up to and including Revocation of Membership and Denial of Participation.
    - 3. Impose other sanctions as needed.
    - 4. Take any action the Board finds necessary under the circumstances.

## **Section 5: Appeals Process<sup>2</sup>**

### **A. Appealing a Kingdom Sanction to the Board of Directors**

- 1. Any person who has received a Kingdom Sanction may appeal to the Board of Directors. Only the sanctioned person may bring the appeal.
- 2. Appeals must have the following:
  - a. An introductory letter explaining the circumstances surrounding the Sanction.

- b. Any information that the Board should consider which the sanctioned individual believes supports the appeal.
3. The person should provide all evidence to support the appeal, emailed to the Society Seneschal (seneschal@sca.org) or mailed to the SCA corporate office.
4. All questions about an appeal should be directed to the Society Seneschal.

#### **B. Appealing a Sanction from the Board of Directors**

1. Only a sanctioned person may file an appeal.
2. Appeals may only be filed if there exists either sufficient evidence to conclude that the Board would have reached a different decision had the evidence discovered been reviewed by the Board, or a discovery of a material error of fact.
3. The Board is the ultimate determiner and arbiter of the rules of the Society, regardless of what authority it may delegate elsewhere. All members of the Society shall therefore have the right of appeal to the Board, provided they follow proper channels for complaint and appeal.
4. The person should provide all evidence to support the appeal, emailed to the Society Seneschal (seneschal@sca.org) or mailed to the SCA corporate office.
5. All questions about an appeal should be directed to the Society Seneschal.

### **Section 6: Confidentiality within the Sanctions Process**

#### **A. Confidentiality of the accused from public statements regarding allegations**

The Crown, the Kingdom Seneschal, the Society Seneschal, and any appointed investigator are prohibited from commenting outside the chain of command on any ongoing sanction or investigation into any matter that may lead to a sanction.

#### **B. Confidentiality of Complainant and Witness Identity**

The statement of facts in the sanction letter shall be redacted in order not to directly identify the complainant or witnesses, who shall be referred to as "Complainant (#)" or "Witness (#)".